

PROPOSED DEVELOPMENT CONDITIONS

SE 2014-MV-017

October 29, 2014

If it is the intent of the Board of Supervisors to approve Special Exception SE 2014-MV-017, located at 2806 Popkins Lane, Tax Map 93-1 ((1)) 7 (part), to delete land area and permit site modifications and other changes to an existing telecommunications central office pursuant to Sect. 3-304 of the Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in the application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception (SE) Plat approved with this application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17 of the Zoning Ordinance, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any site plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SE Plat entitled Verizon Popkins Lane, prepared by Tri-Tek Engineering, containing seven sheets dated December 17, 2013 as revised through August 8, 2014, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of the Special Exception conditions shall be posted in a conspicuous place along with the Non-Residential Use Permit, and shall be made available to all Departments of the County of Fairfax during hours of operation of the permitted use.
5. All site improvements in conformance with the SE Plat, including, but not limited to, modifications related to the access and parking, stormwater management, frontage and landscaping, shall be provided prior to issuance of a Non-Residential Use Permit (Non-RUP).
6. The frontage improvements shown on the SE Plat along Popkins Lane, including curb, gutter, sidewalk and object marker shall be completed prior to issuance of a Non-RUP. Prior to site plan approval, the right-of-way to be dedicated as generally shown on the SE Plat shall be conveyed at no cost to Fairfax County and in fee simple, without encumbrances, to the Board of Supervisors in a form

acceptable to the County Attorney. Density credit shall be reserved as may be permitted by the provisions of Sect. 2-308 (4) of the Zoning Ordinance for all eligible dedications described herein.

7. Landscaping

- a. Prior to issuance of the Non-RUP, the landscaping in conformance with the SE Plat shall be installed and inspected by staff from the Urban Forest Management Division (UFMD) to ensure conformance with the SE Plat and the Public Facilities Manual (PFM).
- b. Landscape materials and barriers shall be maintained and replaced in accordance with Article 13-106 of the Zoning Ordinance. Any diseased, dead or dying plantings shall be replaced within six months with the same species unless an alternative species is approved by the UFMD.
- c. All plant material shall be tended and maintained in a healthy growing condition, replaced when necessary due to poor health or unsafe conditions and shall be kept free of refuse and debris.
- d. Clearing, grading and construction shall conform to the limits of clearing and grading as shown on the SE Plat, subject to the installation of necessary utility lines and other required site improvements, as determined in accordance with the approved plans.
- e. Tree protection fencing shall be provided along the limits of disturbance to the north/northeast, as shown on the SE Plat. Tree protection fencing, consisting of four foot high, 14 gauge welded wire attached to six foot steel posts driven 18 inches into the ground and placed no farther than ten feet apart or super silt fence, to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be placed at the limits of clearing and grading as shown on the erosion and sediment control sheets in all areas. The tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to the performance of any clearing and grading activities on the site. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three days prior to the commencement of any clearing or grading activities, but subsequent to the installation of the tree protection devices, the UFMD shall be notified and given the opportunity to inspect the site to ensure that all devices have been correctly installed. If it is determined that the fencing has not been correctly installed, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD.
- f. The Applicant shall root prune as needed to comply with the tree preservation requirements of these conditions. Areas that will be root pruned shall be

clearly identified on the Tree Preservation Plan. All treatments for such trees and vegetation shall be clearly specified, labeled, and detailed on the erosion and sediment control sheets of the grading plan submission. The details for these treatments shall be included in the Tree Preservation Plan and shall be subject to the review and approval of UFMD.

All root pruning shall be performed in a manner that protects adjacent trees and vegetation that are required to be preserved and may include, but not be limited to, the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches, or as specified by UFMD at the pre-construction meeting.
 - Root pruning shall take place prior to any clearing and grading.
 - Root pruning shall not sever or significantly damage structural or compression roots in a manner that may compromise the structural integrity of trees or the ability of the root system to provide anchorage for the above ground portions of the trees.
 - Root pruning shall be conducted with the on-site supervision of the Project Arborist.
 - Tree protection fencing shall be installed immediately after root pruning.
 - UFMD shall be informed in writing (email is acceptable) when all root pruning and tree protection fence installation is complete.
- g. During the installation of tree protection fencing, performance of root pruning and during any clearing or removal of trees, vegetation, or structures, the Project Arborist shall be present to effectively monitor the process and ensure that the activities are conducted in accordance with these conditions and as approved by the UFMD. The Project Arborist shall be a certified arborist or landscape architect retained by the applicant and shall monitor all construction, demolition, landscape installation and tree preservation efforts to ensure conformance with the conditions and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan and shall be reviewed and approved in writing by UFMD.
8. New or replaced outdoor lighting fixtures shall be in accordance with Sect. 14-902 of the Zoning Ordinance.
9. There shall be no outdoor storage of materials, equipment, or vehicles.
10. If Fairfax County has not received or approved a subdivision plan for redevelopment of the 4.2 acre residue parcel of Verizon within 30 months of the date of this SE approval, the Applicant agrees to: (1) escrow with Fairfax County the sum of \$5,000 to be used after 30 months for the immediate mitigation by the

Applicant of off-site water management runoff onto East Lee Avenue; and (2) install fencing at the ends of East Lee Avenue and Preston Avenue.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, 30 months after the date of approval unless the use(s) have been established by obtaining the required Non-Residential Use Permit(s) noted above.